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| 09/739,516 | 12/18/2000 | Jody Western Lewis | US000345*** | 3122 |

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BRIARCLIFF MANOR, NY 10510

EXAMINER

TRUONG, LECHI

ART UNIT PAPER NUMBER

2126

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/739,516

Applicant(s)

LEWIS, JODY WESTERN

Examiner

LeChi Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-11 are pending in this application.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 4-5 and 8-11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

- a. The term “ modifying said indicator of data object to produce a second data object ” was not described in the specification - claim 4.

- b. The term “ changing the queue indicator to indicated a second queue” was not described in the specification - claim 8.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-3 and 6-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following terms lack proper antecedent basis:

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The processing objects- claim 1;

The said path objects – claim 6;

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **1-9 and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al (US. Patent 6,553,427 B1).

5. **As to claim 1**, Chang teaches the invention substantially as claimed including: a data object (encapsulated INAP message, col 3, ln 58-60/ col 4, ln 1-2/ an INAP message encapsulated by an INAP_operation object, col 16, ln 47-50/ and INDP_operation object, col 18, ln 15-20), a software architecture using queues to organize the transfer of data from on processing object to another (col 3, ln 63-67 and col 4, ln 1-2), comprising step of:

storing queue identifier in a path object (col 11, ln 40-45/ col 17, ln 64-67 to col 18, ln 1-3/ col 13, ln 27-30/ col 15, ln 1-5 and ln 15-17), a path object (network_contextID object and a service_contextID object, col 17, ln 65-67 to col 18, ln 1-3),

receiving and processing a data object in a first of said processing objects (col 3, ln 63-67 and col 4, ln 1-2), a first of said processing objects (the interface object, col 3, ln 59-60 and col 4, ln 1-2/ col 17, ln 20-25);

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identifying a queue corresponding to a second of said processing objects (col 15, ln 1-5 and ln 15-17), a second of said processing objects (col 15, ln 15-17);

an indicator corresponding to said data object (col 13, ln 1-10/ ln 27-31 and ln 30-34);

6. Chang does not explicit teach placing said data object in a queue. However, Chang teaches placing said data object in a queue(to direct encapsulated INAP messages to the message queue, col 3, ln 65-67 and col 1, ln 1-2). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to apply the teaching of Chang because Chang's placing said data object in a queue would allows the service application program to send and receive message objects to the TCAP server without knowledge of the transmitting mechanism.

7. **As to claim 2**, Chang teaches identifying includes determining a result of said step processing (col 6, ln 53-64).

8. **As to claim 3**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Chang does not explicit teach the term modifying said indicator part of said first data object. However, Chang teaches modifying said indicator part of said first data object (the set valid () function provides methods for setting the value of p_valid. The is valid () function returns a value of true when the value of p_valid is " true", col 14, ln 31-34). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to apply the teaching of Chang because Chang's modifying said indicator part of said first data object would provides a flag to indicate if the connection will be valid.

9. **As to claim 5**, Chang teaches determining a result of said step of performing (col 6, ln 53-64), identifying including identifying said second queue (col 15, ln 14-18).

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10. **As to claim 6**, Chang teaches data object are transferred from a first processing object to a selected one of second and third processing object by queuing the data objects in a queue of said selected one (col 3, ln 63-67 and col 4, ln 1-3), comprising:

a definition of a path object corresponding to each of said data object (col 17, ln 65-67 and col 18, ln 1-4), a path object (network_contextID, col 17, n 65-67);

a least one said of path objects contains an indicator(col 13, ln 27-31 and col 14, ln 31-34);

first processing data object defining a process a result of which to insure that a first data object (col 2, ln 50-56/col 6, ln 59-65), of said at least one of said path object corresponding to said first data object (col 17, ln 65-67 and col 18, ln 1-4).

11. **As to claim 7**, Chang teaches the generation of an indication of a result a subprocess of said first processing object (col 13, ln 27-31 and col 14, ln 31-34), path objects corresponding to said first data object and responsively to said indicator (col 13, ln 27-31 and col 14, ln 31-34/ col 17, ln 65-67 and col 18, ln 1-4).

12. **As to claim 8**, it is an apparatus claim of claim 4; therefore, it is rejected for the same reason as claim 4 above. In additional, Chang teaches an object oriented programming environment (col 3, ln 44 –45), maintain a data object in a first queue (col 3, ln 65-67/ col 11, ln 40-46), according to a queue indicator associated with data object (col 17, ln 65-67), a network_context ID and a service_contextID have a flag to indicate the context will be valid (col 13, ln 27-31), the data object determine it owns destiny (col 18, ln 15-29/ col 8, ln 11-17).

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13. As to claim 9, Chang teaches the queue indicator is stored in a path object associated with the data object (col 17, ln 64-67 and col 18, ln 1-5), querying the path object (col 17, ln 53-56).

14. As to claim 11, Chang teaches a normal or faulty outcome state of the data object (col 13, ln 27-31). The context is assigned to the INAP message when the INAP message is captured to become the encapsulated INAP(fig. 8).

15. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al (US. Patent 6,553,427 B1) in view of Nakamura (US. Patent 6,446,134 b1).

16. As to claim 10, Chang does not teach a table of queue indicator. However, Nakamura teaches a table of queue indicator (a busy flag field 45 of the destination registration table 40, col 7, ln 20-25).

17. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Chang and Nakamure because Nakamure's a table of queue indicator would notifies the manager unit about a fault information in the connection destination address.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

October 15, 2004


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